

**EIGHTY-FIFTH GENERAL ASSEMBLY  
2013 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MAY 16, 2013

**Senate Amendment to  
HOUSE FILE 641**

**H-1451**

1 Amend House File 641, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:  
5 <Section 1. NEW SECTION. 15J.1 Short title.  
6 This chapter shall be known and may be cited as the  
7 "Iowa Reinvestment Act".  
8 Sec. 2. NEW SECTION. 15J.2 Definitions.  
9 As used in this chapter, unless the context  
10 otherwise requires:  
11 1. "Board" means the same as defined in section  
12 15.102.  
13 2. "Commencement date" means the date established  
14 for each district by the board under section 15J.4,  
15 subsection 3, upon which the calculation of new state  
16 sales tax and new state hotel and motel tax revenue  
17 shall begin under section 15J.5 for deposit in the  
18 fund.  
19 3. "Department" means the department of revenue.  
20 4. "District" means the area within a municipality  
21 that is designated a reinvestment district pursuant to  
22 section 15J.4.  
23 5. "Fund" means the state reinvestment district  
24 fund created in section 15J.6.  
25 6. "Governing body" means the county board of  
26 supervisors, city council, or other body in which the  
27 legislative powers of the municipality are vested.  
28 7. "Municipality" means a county or an incorporated  
29 city.  
30 8. "New lessor" means a lessor, as defined in  
31 section 423A.2, operating a business in the district  
32 that was not in operation in the area of the district  
33 before the effective date of the ordinance establishing  
34 the district, regardless of ownership. "New lessor"  
35 also includes any lessor, defined in section 423A.2,  
36 operating a business in the district if the place of  
37 business for that business is the subject of a project  
38 that was approved by the board.  
39 9. "New retail establishment" means a business  
40 operated in the district by a retailer, as defined in  
41 section 423.1, that was not in operation in the area of  
42 the district before the effective date of the ordinance  
43 establishing the district, regardless of ownership.  
44 "New retail establishment" also includes any business  
45 operated in the district by a retailer, as defined in  
46 section 423.1, if the place of business for that retail  
47 establishment is the subject of a project that was  
48 approved by the board.  
49 10. "Project" means a vertical improvement  
50 constructed or substantially improved within a

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1 district using sales tax revenues and hotel and motel  
2 tax revenues received by a municipality pursuant to  
3 this chapter. "Project" does not include any of the  
4 following:

5 a. A building, structure, or other facility that  
6 is in whole or in part used or intended to be used to  
7 conduct gambling games under chapter 99F.

8 b. A building, structure, or other facility that is  
9 in whole or in part used or intended to be used as a  
10 hotel or motel if such hotel or motel is connected to  
11 or operated in conjunction with a building, structure,  
12 or other facility described in paragraph "a".

13 11. "State hotel and motel tax" means the  
14 state-imposed tax under section 423A.3.

15 12. "State sales tax" means the sales and services  
16 tax imposed pursuant to section 423.2.

17 13. "Substantially improved" means that the cost of  
18 the improvements are equal to or exceed fifty percent  
19 of the assessed value of the property, excluding the  
20 land, prior to such improvements.

21 14. "Vertical improvement" means a building that is  
22 wholly or partially above grade and all appurtenant  
23 structures to the building.

24 Sec. 3. NEW SECTION. 15J.3 Preapplication process.

25 The board may establish by rule a preapplication  
26 process to provide information related to the  
27 requirements of this chapter, to determine the interest  
28 of municipalities in establishing districts under this  
29 chapter, and to assist municipalities in preparing a  
30 proposed district plan.

31 Sec. 4. NEW SECTION. 15J.4 District establishment  
32 ---- approval.

33 1. A municipality that has an area suitable for  
34 development within the boundaries of the municipality  
35 is eligible to seek approval from the board to  
36 establish a reinvestment district under this section  
37 consisting of the area suitable for development. To be  
38 designated a reinvestment district, an area shall meet  
39 the following requirements:

40 a. The area consists only of parcels of real  
41 property that the governing body of the municipality  
42 determines will be directly and substantially benefited  
43 by development in the proposed district.

44 b. The area is in whole or in part either an  
45 economic development enterprise zone designated under  
46 chapter 15E, division XVIII, or an urban renewal area  
47 established pursuant to chapter 403.

48 c. The area consists of contiguous parcels and does  
49 not exceed twenty-five acres in total.

50 d. For a municipality that is a city, the area does

1 not include the entire incorporated area of the city.

2 e. The area is not located in whole or in part  
3 within another district established under this chapter.

4 2. Prior to submission to the board for approval  
5 under subsection 3, a proposed district plan shall be  
6 developed and approved by resolution of the governing  
7 body of the municipality. The proposed district plan  
8 shall state the governing body's intent to establish  
9 a district. The proposed district plan shall also  
10 include all of the following:

11 a. A finding by the governing body that the area  
12 in the proposed district is an area suitable for  
13 development.

14 b. A legal description of the real estate forming  
15 the boundaries of the area to be included in the  
16 proposed district along with a map depicting the  
17 existing parcels of real estate located in the proposed  
18 district.

19 c. A list of the names and addresses of the owners  
20 of record of the parcels to be included in the proposed  
21 district.

22 d. A list of all projects proposed to be undertaken  
23 within the district, a detailed description of those  
24 projects, and a project plan for each proposed project.  
25 Each project plan shall clearly state the estimated  
26 cost of the proposed project, the anticipated funding  
27 sources for the proposed project, the amount of  
28 anticipated funding from each such source, and the  
29 amount and type of debt, if any, to be incurred by the  
30 municipality to fund the proposed project, and shall  
31 include a proposed project feasibility study conducted  
32 by an independent professional with expertise in  
33 economic development and public finance. The project  
34 plan for the project that proposes the largest amount  
35 of capital investment among all proposed projects  
36 within the district shall include an estimate of  
37 the date that construction of the project will be  
38 completed and of the date that operations will begin  
39 at the project. The feasibility study shall include  
40 projections and analysis of all of the following:

41 (1) The amount of gross revenues expected to  
42 be collected in the district as a result of the  
43 proposed project for each year that the district is in  
44 existence.

45 (2) A detailed explanation of the manner and extent  
46 to which the proposed project will contribute to the  
47 economic development of the state and the municipality,  
48 including an analysis of the proposed project's  
49 economic impact. The analysis shall include the same  
50 components and be conducted in the same manner as the

1 economic impact study required under paragraph "e".

2 (3) An estimate of the number of visitors or  
3 customers the proposed project will generate during  
4 each year that the district exists.

5 (4) A description of the unique characteristics of  
6 the proposed project.

7 e. An economic impact study for the proposed  
8 district conducted by an independent economist retained  
9 by the municipality. The economic impact study shall,  
10 at a minimum, do all of the following:

11 (1) Contain a detailed analysis of the financial  
12 benefit of the proposed district to the economy of the  
13 state and the municipality.

14 (2) Identify one or more projected market areas in  
15 which the district can reasonably be expected to have a  
16 substantial economic impact.

17 (3) Assess the fiscal and financial impact of the  
18 proposed district on businesses or on other economic  
19 development projects within the projected market area.

20 3. a. The municipality shall submit a copy of  
21 the resolution, the proposed district plan, and all  
22 accompanying materials adopted pursuant to this section  
23 to the board for evaluation. The board shall not  
24 approve a proposed district plan or an amendment to an  
25 existing district's plan on or after July 1, 2018.

26 b. The board shall evaluate each municipality's  
27 proposed district plan and accompanying materials and  
28 shall approve the district plan and establishment of  
29 the district if the board determines that, in addition  
30 to other criteria established by the board by rule, all  
31 of the following conditions are met:

32 (1) The area of the municipality proposed to be  
33 included in the district meets the requirements of  
34 subsection 1.

35 (2) The projects proposed to be undertaken in  
36 the district are of a unique nature and will have a  
37 substantial beneficial impact on the economy of the  
38 state and the economy of the municipality.

39 (3) The proposed funding sources for each proposed  
40 project are feasible.

41 (4) At least one of the projects proposed to  
42 be undertaken in the district includes a capital  
43 investment of at least ten million dollars.

44 (5) The total amount of proposed funding from  
45 state sales tax revenues and state hotel and motel tax  
46 revenue to be remitted to the municipality from the  
47 state reinvestment district fund under section 15J.6  
48 for all proposed projects in the proposed district plan  
49 does not exceed thirty-five percent of the total cost  
50 of all proposed projects in the proposed district plan.

1 (6) The amount of proposed capital investment  
2 within the proposed district related to retail  
3 businesses in the proposed district does not exceed  
4 fifty percent of the total capital investment for all  
5 proposed projects in the proposed district plan. For  
6 the purposes of this subparagraph, "retail business"  
7 means any business engaged in the business of selling  
8 tangible personal property or taxable services at  
9 retail in this state that is obligated to collect state  
10 sales or use tax under chapter 423. However, for the  
11 purposes of this subparagraph, "retail business" does  
12 not include a new lessor.

13 c. If the board denies a proposed district plan,  
14 the board shall state the reasons for the denial and  
15 the municipality may resubmit the application.

16 d. As part of its approval of a proposed district  
17 plan, the board shall establish a commencement date  
18 for the district. The commencement date established  
19 by the board shall be the first day of the first  
20 calendar quarter beginning after the later of the two  
21 dates identified for the project that proposed the  
22 largest amount of capital investment among all proposed  
23 projects in the district pursuant to subsection 2,  
24 paragraph "d".

25 e. As part of its approval of a proposed district  
26 plan, the board shall, subject to the authorized  
27 amounts under section 15J.5, establish maximum amounts  
28 of state sales tax revenues or state hotel and motel  
29 tax revenues, or both, that may be remitted to a  
30 municipality's reinvestment project fund. Such maximum  
31 amounts shall be determined based on the financing  
32 needs of the proposed project, the economic impact  
33 to the state, and the remittance limitations under  
34 paragraph "f".

35 f. The total aggregate amount of state sales tax  
36 revenues and state hotel and motel tax revenues that  
37 may be approved by the board for remittance to all  
38 municipalities and that may be transferred to the  
39 state reinvestment district fund under section 423.2,  
40 subsection 11, or section 423A.6, and remitted to all  
41 municipalities having a reinvestment district under  
42 this chapter shall not exceed one hundred million  
43 dollars.

44 g. If a district plan is approved by the board, the  
45 district plan, along with the municipality's resolution  
46 and all accompanying materials shall be posted on the  
47 economic development authority's internet site for  
48 public viewing within ten days of approval by the  
49 board.

50 4. Upon receiving the approval of the board, the

1 municipality may adopt an ordinance establishing the  
2 district and shall notify the director of revenue of  
3 the district's commencement date established by the  
4 board no later than thirty days after adoption of the  
5 ordinance. The ordinance adopted by the municipality  
6 shall include the district's commencement date and a  
7 detailed statement of the manner in which the approved  
8 projects to be undertaken in the district will be  
9 financed, including but not limited to the financial  
10 information included in the project plan under  
11 subsection 2, paragraph "d". Following establishment  
12 of the district, a municipality may use the moneys  
13 deposited in the municipality's reinvestment project  
14 fund created pursuant to section 15J.7 to fund the  
15 development of those projects included within the  
16 district plan.

17 5. A municipality may amend the district plan  
18 to add or modify projects. However, a proposed  
19 modification to a project and each project proposed  
20 to be added shall first be approved by the board in  
21 the same manner as provided for the original plan. In  
22 no case, however, shall an amendment to the district  
23 plan result in the extension of the commencement date  
24 established by the board. If a district plan is  
25 amended to add or modify a project, the municipality  
26 shall amend the ordinance, if necessary, to reflect any  
27 changes to the financial information required to be  
28 included under subsection 4.

29 6. Following establishment of a district, the  
30 municipality shall on or before October 1 of each year  
31 submit a report to the board detailing all of the  
32 following:

33 a. The status of each project undertaken within the  
34 district in the previous twelve months.

35 b. An itemized list of expenditures from the  
36 municipality's reinvestment project fund in the  
37 previous twelve months that have been made related to  
38 each project being undertaken within the district.

39 c. The amount of the total project cost remaining  
40 for each project being undertaken within the district  
41 as of the date the report is submitted.

42 d. The amounts, types, and sources of funding used  
43 for each project described in paragraph "a".

44 e. The amount of bonds issued or other indebtedness  
45 incurred for each project described in paragraph "a",  
46 including information related to the rate of interest,  
47 length of term, costs of issuance, and net proceeds.  
48 The report shall also include the amounts and types  
49 of moneys to be used for payment of such bonds or  
50 indebtedness.



1 7. All reports received by the board under  
2 subsection 6 shall be posted on the economic  
3 development authority's internet site as soon as  
4 practicable following receipt of the report. The board  
5 shall submit a written report to the governor and the  
6 general assembly on or before January 15 of each year.  
7 The report shall summarize and analyze the information  
8 submitted by municipalities under subsection 6.

9 Sec. 5. NEW SECTION. 15J.5 New state tax revenue  
10 calculations.

11 1. a. The department shall calculate quarterly  
12 the amount of new state sales tax revenues for each  
13 district established in the state to be deposited  
14 in the state reinvestment district fund created in  
15 section 15J.6, pursuant to section 423.2, subsection  
16 11, paragraph "b", subject to remittance limitations  
17 established by the board pursuant to section 15J.4,  
18 subsection 3.

19 b. The amount of new state sales tax revenue for  
20 purposes of paragraph "a" shall be the product of  
21 the amount of sales subject to the state sales tax  
22 in the district during the quarter from new retail  
23 establishments times four percent.

24 2. a. The department shall calculate quarterly the  
25 amount of new state hotel and motel tax revenues for  
26 each district established in the state to be deposited  
27 in the state reinvestment district fund created in  
28 section 15J.6, pursuant to section 423A.6, subject  
29 to remittance limitations established by the board  
30 pursuant to section 15J.4, subsection 3.

31 b. The amount of new state hotel and motel tax  
32 revenue for purposes of paragraph "a" shall be the  
33 product of the amount of sales subject to the state  
34 hotel and motel tax in the district during the quarter  
35 from new lessors times the state hotel and motel tax  
36 rate imposed under section 423A.3.

37 3. Each municipality that has established a  
38 district under this chapter shall assist the department  
39 in identifying new retail establishments in the  
40 district that are collecting state sales tax and new  
41 lessors in the district that are collecting state hotel  
42 and motel tax. This process shall be ongoing until the  
43 municipality ceases to utilize state sales tax revenue  
44 or state hotel and motel tax revenue under this chapter  
45 or the district is dissolved.

46 Sec. 6. NEW SECTION. 15J.6 State reinvestment  
47 district fund.

48 1. A state reinvestment district fund is  
49 established in the state treasury under the control  
50 of the department consisting of the new state sales

1 tax revenues collected within each district and  
2 deposited in the fund pursuant to section 423.2,  
3 subsection 11, paragraph "b", and the new state hotel  
4 and motel tax revenues collected within each district  
5 and deposited in the fund pursuant to section 423A.6.  
6 Moneys deposited in the fund are appropriated to the  
7 department for the purposes of this section. Moneys in  
8 the fund shall only be used for the purposes of this  
9 section.

10 2. A district account is created within the fund  
11 for each district created by a municipality under this  
12 chapter.

13 3. The department shall deposit the moneys  
14 described in subsection 1 that were collected in  
15 a quarter beginning on or after the district's  
16 commencement date into the appropriate district account  
17 in the fund.

18 4. All moneys in each district account within the  
19 fund shall be remitted quarterly by the department to  
20 the municipality that established the district for  
21 deposit in the municipality's reinvestment project fund  
22 established pursuant to section 15J.7.

23 5. The department shall adopt rules for the  
24 administration of the department's duties under  
25 this chapter, including the remittance of moneys to  
26 municipalities.

27 Sec. 7. NEW SECTION. 15J.7 Reinvestment project  
28 fund.

29 1. State sales tax revenue and state hotel and  
30 motel tax revenue remitted by the department to  
31 a municipality pursuant to section 15J.6 shall be  
32 deposited in a reinvestment project fund of the  
33 municipality and shall be used to fund projects within  
34 the district from which the revenues were collected.  
35 If the municipality determines that the revenue  
36 accruing to the reinvestment project fund exceeds the  
37 amount necessary for these purposes, the excess moneys  
38 that are remittances received under section 15J.6 and  
39 all interest in the fund attributable to such excess  
40 amounts shall be remitted by the municipality to the  
41 department for deposit in the general fund of the  
42 state.

43 2. In addition to the moneys received pursuant  
44 to section 15J.6, a municipality may deposit in the  
45 reinvestment project fund any other moneys lawfully at  
46 the municipality's disposal, including but not limited  
47 to local sales and services tax receipts collected  
48 under chapter 423B if such use is a purpose authorized  
49 for the municipality under chapter 423B.

50 3. The records of the municipality related to the



1 district and the reinvestment project fund are subject  
2 to audit pursuant to section 11.6.

3 4. a. Moneys from any source deposited into  
4 the reinvestment project fund shall not be expended  
5 for or otherwise used in connection with a project  
6 that includes the relocation of a commercial or  
7 industrial enterprise not presently located within the  
8 municipality.

9 b. For the purposes of this subsection,  
10 "relocation" means the closure or substantial reduction  
11 of an enterprise's existing operations in one area of  
12 the state and the initiation of substantially the same  
13 operation in the same county or a contiguous county in  
14 the state. "Relocation" does not include an enterprise  
15 expanding its operations in another area of the state  
16 provided that existing operations of a similar nature  
17 are not closed or substantially reduced.

18 5. Upon dissolution of a district pursuant to  
19 section 15J.8, if moneys remitted to the municipality  
20 pursuant to section 15J.6 remain in the municipality's  
21 reinvestment project fund and those moneys are not  
22 necessary to support completion of a project in the  
23 dissolved district, such amounts and all interest  
24 remaining in the fund that was earned on such amounts  
25 shall be remitted by the municipality to the department  
26 for deposit in the general fund of the state.

27 6. Upon dissolution of a district pursuant to  
28 section 15J.8, moneys remaining in the reinvestment  
29 project fund that were deposited pursuant to subsection  
30 2 and all interest remaining in the fund that was  
31 earned on such amounts shall be deposited in the  
32 general fund of the municipality.

33 Sec. 8. NEW SECTION. 15J.8 End of deposits ----  
34 district dissolution.

35 1. As of the date twenty years after the district's  
36 commencement date, the department shall cease to  
37 deposit state sales tax revenues and state hotel  
38 and motel tax revenues into the district's account  
39 within the fund, unless the municipality dissolves the  
40 district by ordinance prior to that date. Following  
41 the expiration of the twenty-year period, the district  
42 shall be dissolved by ordinance of the municipality  
43 adopted within twelve months of the conclusion of the  
44 twenty-year period.

45 2. If the municipality dissolves the district by  
46 ordinance prior to the expiration of the twenty-year  
47 period specified in subsection 1, the municipality  
48 shall notify the director of revenue of the dissolution  
49 as soon as practicable after adoption of the ordinance,  
50 and the department shall, as of the effective date

1 of dissolution, cease to deposit state sales tax  
2 revenues and state hotel and motel tax revenues into  
3 the district's account within the fund.

4 Sec. 9. Section 423.2, subsection 11, paragraph  
5 b, Code 2013, is amended by adding the following new  
6 subparagraph:

7 NEW SUBPARAGRAPH. (6) Beginning the first day  
8 of the calendar quarter beginning on the reinvestment  
9 district's commencement date, subject to remittance  
10 limitations established by the economic development  
11 authority board pursuant to section 15J.4, subsection  
12 3, transfer to a district account created in the state  
13 reinvestment district fund for each reinvestment  
14 district established under chapter 15J, the amount of  
15 new state sales tax revenue, determined in section  
16 15J.5, subsection 1, paragraph "b", in the district,  
17 that remains after the prior transfers required  
18 under this paragraph "b". Such transfers shall cease  
19 pursuant to section 15J.8.

20 Sec. 10. Section 423A.6, unnumbered paragraph 1,  
21 Code 2013, is amended to read as follows:

22 The director of revenue shall administer the  
23 state and local hotel and motel tax as nearly as  
24 possible in conjunction with the administration of the  
25 state sales tax law, except that portion of the law  
26 which implements the streamlined sales and use tax  
27 agreement. The director shall provide appropriate  
28 forms, or provide on the regular state tax forms,  
29 for reporting state and local hotel and motel tax  
30 liability. All moneys received or refunded one hundred  
31 eighty days after the date on which a city or county  
32 terminates its local hotel and motel tax and all moneys  
33 received from the state hotel and motel tax shall be  
34 deposited in or withdrawn from the general fund of  
35 the state. Beginning the first day of the calendar  
36 quarter beginning on the reinvestment district's  
37 commencement date, the director of revenue shall,  
38 subject to remittance limitations established by  
39 the economic development authority board pursuant to  
40 section 15J.4, subsection 3, transfer from the general  
41 fund of the state to a district account created in the  
42 state reinvestment district fund for each reinvestment  
43 district established under chapter 15J, the new state  
44 hotel and motel tax revenue, determined in section  
45 15J.5, subsection 2, paragraph "b", in the district.  
46 Such transfers shall cease pursuant to section 15J.8.>

47 2. By renumbering, redesignating, and correcting  
48 internal references as necessary.

RECEIVED FROM THE SENATE

SENATE FILE 406

H-1449

1 Amend Senate File 406, as passed by the Senate, as  
2 follows:  
3 1. Page 1, by striking lines 3 through 9 and  
4 inserting:  
5 <Sec. \_\_\_\_\_. NEW SECTION. 10A.901 Definitions.  
6 As used in this article, unless the context  
7 otherwise requires:  
8 1. "Administrator" means the person coordinating  
9 the administration of this division.  
10 2. "Division" means the mental health advocate  
11 division of the department of inspections and appeals.>  
12 2. Page 1, line 10, by striking <216A.172> and  
13 inserting <10A.902>  
14 3. Page 1, line 11, by striking <office's> and  
15 inserting <division's>  
16 4. Page 1, line 13, after <law.> by inserting  
17 <The person appointed as administrator must meet the  
18 qualifications to be appointed as a mental health  
19 advocate.>  
20 5. Page 1, line 16, by striking <office> and  
21 inserting <division>  
22 6. Page 1, line 17, after <advocate.> by inserting  
23 <A mental health advocate serving as of June 30, 2013,  
24 shall be deemed to be qualified.>  
25 7. Page 1, line 22, by striking <or nursing> and  
26 inserting <nursing, or psychology,>  
27 8. Page 1, line 27, by striking <office> and  
28 inserting <division>  
29 9. Page 1, line 29, and striking <advocates.> by  
30 inserting <advocates and for reassigning advocate  
31 responsibilities based on the location of the patient's  
32 placement or other patient need. The court shall be  
33 notified of any reassignment. The procedures for  
34 appointing a person to a vacant mental health advocate  
35 position assigned to a geographic area shall require  
36 the person appointed to the vacant position to reside  
37 within the assigned geographic area.>  
38 10. Page 2, after line 2 by inserting:  
39 <7. Implementing a uniform description of the  
40 duties of a mental health advocate, based upon the best  
41 practices developed and promulgated by the judicial  
42 council pursuant to section 229.19, subsection 1,  
43 paragraph "c".>  
44 11. Page 2, line 4, by striking <human rights> and  
45 inserting <inspections and appeals>  
46 12. Page 2, line 10, by striking <human rights> and  
47 inserting <inspections and appeals>  
48 13. Page 2, line 25, by striking <human rights> and  
49 inserting <inspections and appeals>  
50 14. Page 3, by striking lines 10 through 19 and

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1 inserting:

2 <Sec. \_\_\_\_\_. Section 229.2, subsection 1, paragraph  
3 b, subparagraph (6), Code 2013, is amended to read as  
4 follows:

5 (6) Upon approval of the admission of a minor  
6 over the minor's objections, the juvenile court  
7 shall appoint an individual to act as an advocate  
8 representing the interests of the minor in the same  
9 manner as ~~an~~ a mental health advocate representing  
10 the interests of patients involuntarily hospitalized  
11 ~~pursuant to~~ in accordance with section 229.19.>

12 15. Page 3, lines 23 and 24, by striking <office of  
13 the>

14 16. Page 3, lines 25 and 26, by striking <human  
15 rights> and inserting <inspections and appeals>

16 17. Page 4, line 3, by striking <human rights> and  
17 inserting <inspections and appeals>

18 18. Page 5, by striking lines 21 through 23 and  
19 inserting <advocate. For the purposes of this section,  
20 "division" means the mental health advocate division of  
21 the department of inspections and appeals.>

22 19. Page 6, line 11, by striking <office> and  
23 inserting <division>

24 20. Page 6, line 12, by striking <office> and  
25 inserting <division>

26 21. Page 7, line 8, by striking <office> and  
27 inserting <division>

28 22. Page 7, line 10, by striking <office> and  
29 inserting <division>

30 23. Page 7, line 11, by striking <office> and  
31 inserting <division>

32 24. Page 7, line 32, by striking <office> and  
33 inserting <division>

34 25. Page 7, line 34, by striking <216A.172> and  
35 inserting <10A.902>

36 26. Page 8, line 10, by striking <office> and  
37 inserting <division>

38 27. By striking page 8, line 30, through page 10,  
39 line 29, and inserting:

40 <Sec. \_\_\_\_\_. APPOINTMENT OF MENTAL HEALTH  
41 ADVOCATES. The persons appointed to provide mental  
42 health advocate services under section 229.19  
43 immediately prior to July 1, 2014, shall be appointed  
44 as mental health advocates pursuant to section 10A.902,  
45 effective July 1, 2014.>

46 28. Page 23, after line 24 by inserting:

47 <Sec. \_\_\_\_\_. Section 229.22, subsection 2, paragraph  
48 a, Code 2013, is amended to read as follows:

49 a. (1) In the circumstances described in  
50 subsection 1, any peace officer who has reasonable

1 grounds to believe that a person is mentally ill,  
2 and because of that illness is likely to physically  
3 injure the person's self or others if not immediately  
4 detained, may without a warrant take or cause that  
5 person to be taken to the nearest available facility  
6 or hospital as defined in section 229.11, subsection  
7 1, paragraphs "b" and "c". A person believed mentally  
8 ill, and likely to injure the person's self or others  
9 if not immediately detained, may be delivered to a  
10 facility or hospital by someone other than a peace  
11 officer.

12 (2) Upon delivery of the person believed mentally  
13 ill to the facility or hospital, the examining  
14 physician, examining physician assistant, or examining  
15 psychiatric advanced registered nurse practitioner may  
16 order treatment of that person, including chemotherapy,  
17 but only to the extent necessary to preserve the  
18 person's life or to appropriately control behavior by  
19 the person which is likely to result in physical injury  
20 to that person or others if allowed to continue.

21 (3) The peace officer who took the person into  
22 custody, or other party who brought the person to the  
23 facility or hospital, shall describe the circumstances  
24 of the matter to the examining physician, examining  
25 physician assistant, or examining psychiatric advanced  
26 registered nurse practitioner. If the person is a  
27 peace officer, the peace officer may do so either in  
28 person or by written report.

29 (4) If the examining physician, examining physician  
30 assistant, or examining psychiatric advanced registered  
31 nurse practitioner finds that there is reason to  
32 believe that the person is seriously mentally impaired,  
33 and because of that impairment is likely to physically  
34 injure the person's self or others if not immediately  
35 detained, the examining physician, examining physician  
36 assistant, or examining psychiatric advanced registered  
37 nurse practitioner shall at once communicate with  
38 the nearest available magistrate as defined in  
39 section 801.4, subsection 10. For purposes of this  
40 subparagraph, the findings of the examining physician  
41 assistant must be approved by the examining physician  
42 assistant's supervising physician before the examining  
43 physician assistant communicates with the nearest  
44 available magistrate.

45 (5) The magistrate shall, based upon the  
46 circumstances described by the examining physician,  
47 examining physician assistant, or examining psychiatric  
48 advanced registered nurse practitioner, give the  
49 examining physician, examining physician assistant,  
50 or examining psychiatric advanced registered nurse

1 practitioner oral instructions either directing that  
2 the person be released forthwith or authorizing the  
3 person's detention in an appropriate facility. A  
4 peace officer from the law enforcement agency that  
5 took the person into custody, if available, during  
6 the communication with the magistrate, may inform the  
7 magistrate that an arrest warrant has been issued for  
8 or charges are pending against the person and request  
9 that any oral or written order issued under this  
10 subsection require the facility or hospital to notify  
11 the law enforcement agency about the discharge of the  
12 person prior to discharge. The magistrate may also  
13 give oral instructions and order that the detained  
14 person be transported to an appropriate facility.>

15 29. Title page, by striking lines 4 and 5 and  
16 inserting <of a mental health advocate division in the  
17 department of inspections and appeals and including  
18 effective date provisions.>

19 30. By renumbering as necessary.

**By** HEATON of Henry



**SENATE FILE 406**

**H-1450**

1 Amend the amendment, H-1449, to Senate File 406, as  
2 passed by the Senate, as follows:

3 1. By striking page 1, line 1, through page 2, line  
4 45, and inserting:

5 <Amend Senate File 406, as passed by the Senate, as  
6 follows:

7 \_\_\_\_\_. Page 1, line 13, after <law.> by inserting  
8 <The person appointed as administrator must meet the  
9 qualifications to be appointed as a mental health  
10 advocate.>

11 \_\_\_\_\_. Page 1, line 17, after <advocate.> by  
12 inserting <A mental health advocate serving as of June  
13 30, 2013, shall be deemed to be qualified.>

14 \_\_\_\_\_. Page 1, line 22, by striking <or nursing> and  
15 inserting <nursing, or psychology,>

16 \_\_\_\_\_. Page 1, line 29, after <advocates.> by  
17 inserting <The procedures for filling a vacant mental  
18 health advocate position assigned to a geographic area  
19 shall require the individual filling the vacancy to  
20 reside within the assigned geographic area.>

21 \_\_\_\_\_. Page 8, by striking lines 32 through 35 and  
22 inserting:

23 <1. The full-time or part-time county employees or  
24 independent contractors paid for mental health advocate  
25 services under section 229.19 immediately prior to  
26 July 1, 2014, shall be appointed as mental health  
27 advocates pursuant to section 216A.172 and shall become  
28 employees>

29 \_\_\_\_\_. Page 9, line 4, by striking <salaries>

30 \_\_\_\_\_. Page 9, line 8, by striking <inspections and  
31 appeals> and inserting <human rights>

32 \_\_\_\_\_. Page 9, line 31, by striking <full-time>

33 \_\_\_\_\_. Page 9, line 32, by striking <full-time>

34 \_\_\_\_\_. Page 10, line 24, by striking <full-time>

35 \_\_\_\_\_. Page 10, line 25, by striking <full-time>>

36 2. By renumbering as necessary.

**By M. SMITH of Marshall**

**H-1450** FILED MAY 15, 2013

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REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 447

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 447, a bill for an Act relating to appropriations to the justice system and including effective dates, respectfully make the following report:

1. That the House recedes from its amendment, S-3179.

2. That Senate File 447, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, before line 1 by inserting:

<DIVISION I  
FY 2013-2014  
APPROPRIATIONS>

2. Page 1, line 22, by striking <8,876,400> and inserting <6,734,400>

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3. By striking page 1, line 29, through page 2, line 2.

4. Page 2, line 17, by striking <2,400,000> and inserting  
<2,180,562>

5. Page 3, line 27, by striking <51,645,396> and inserting  
<43,107,133>

6. Page 3, by striking lines 28 through 32.

7. Page 4, line 9, by striking <32,183,850> and inserting  
<32,920,521>

8. Page 4, by striking lines 10 and 11 and inserting:

<It is the intent of the general assembly that the department  
of corrections maintain and operate the Luster Heights prison  
camp.>

9. Page 4, line 19, by striking <27,348,450> and inserting  
<27,127,290>

10. Page 4, line 23, by striking <25,573,157> and inserting  
<24,811,427>

11. Page 4, line 27, by striking <9,836,698> and inserting  
<9,671,148>

12. Page 4, line 31, by striking <25,982,680> and inserting  
<25,241,616>

13. Page 5, line 5, by striking <20,088,953> and inserting  
<21,604,035>

14. Page 5, line 9, by striking <30,157,258> and inserting  
<29,865,232>

15. Page 5, line 32, by striking <4,831,582> and inserting  
<5,081,582>

16. Page 6, line 33, by striking <2,858,109> and inserting  
<2,608,109>

17. By striking page 6, line 34, through page 7, line 3, and  
inserting:

<a. The director of the department of corrections may  
transfer moneys from Iowa prison industries and the canteen  
operating funds established pursuant to section 904.310, for  
use in educational programs for inmates.>

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18. Page 7, after line 34 by inserting:

<6A. For operations, costs, and miscellaneous purposes:

..... \$ 2,571,309>

19. Page 8, line 30, by striking <11,099,457> and inserting  
<10,870,425>

20. Page 9, line 1, by striking <5,552,458> and inserting  
<5,459,309>

21. Page 9, line 5, by striking <20,367,463> and inserting  
<19,375,428>

22. Page 9, line 8, by striking <16,461,170> and inserting  
<14,638,537>

23. Page 10, by striking lines 11 through 13 and inserting  
<notice to the legislative services agency, the department of  
corrections shall>

24. Page 10, after line 35 by inserting:

<3. The department of corrections, in cooperation with  
the attorney general's office, shall submit a report to the  
co-chairpersons and ranking members of the joint appropriations  
subcommittee on the justice system, and the legislative agency,  
by January 15, 2014. The report shall detail the results  
of the central pharmacy pilot project that utilizes the Iowa  
prescription drug corporation's voucher program for indigent  
offenders. The report shall include but is not limited to  
the number of offenders annually served by the pilot project,  
funding sources, and the recidivism rates of offenders in the  
pilot project.>

25. Page 14, line 6, by striking <33.40> and inserting  
<37.40>

26. Page 14, line 7, before <The> by inserting <a.>

27. Page 14, after line 13 by inserting:

<b. It is the intent of the general assembly that the  
homeland security and emergency management division or  
successor agency work in conjunction with the department of  
public safety, to the extent possible, when gathering and

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analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.>

28. Page 14, line 23, by striking <38.00> and inserting <39.00>

29. Page 14, by striking lines 34 and 35.

30. Page 16, line 1, by striking <57,036,208> and inserting <55,536,208>

31. Page 16, line 2, by striking <506.22> and inserting <494.47>

32. Page 16, after line 2 by inserting:

<\_\_\_\_. For operations, costs, and miscellaneous purposes:  
..... \$ 1,700,000>

33. Page 16, after line 2 by inserting:

<It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.>

34. Page 16, by striking lines 22 and 23 and inserting <agency, and the>

35. By striking page 18, line 30, through page 23, line 23, and inserting:

<DIVISION \_\_\_\_

FY 2014-2015

APPROPRIATIONS

Sec. \_\_\_\_\_. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim

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assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	3,983,965
.....	FTEs	214.00

It is the intent of the general assembly that as a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

b. For victim assistance grants:

.....	\$	3,367,200
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The funds appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 24 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

The department of justice shall transfer at least \$150,000 from the victim compensation fund established in section 915.94 to the victim assistance grant program.

Notwithstanding section 8.33, moneys appropriated in this lettered paragraph that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

c. For legal services for persons in poverty grants as provided in section 13.34:

.....	\$	1,090,281
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2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2015, pursuant to section 8.23, shall include a report of funding from sources



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other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year commencing July 1, 2013, and actual and expected reimbursements for the fiscal year commencing July 1, 2014.

b. The department of justice shall include the report required under paragraph "a", as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency. The department of justice shall submit the report on or before January 15, 2015.

Sec. \_\_\_\_\_. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,568,082
.....	FTEs	22.00

Sec. \_\_\_\_\_. DEPARTMENT OF CORRECTIONS — FACILITIES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following

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amounts, or so much thereof as is necessary, to be used for the operation of adult correctional institutions, reimbursement of counties for certain confinement costs, and federal prison reimbursement, to be allocated as follows:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 21,553,567

The department of corrections shall submit, to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system by January 15, 2015, the plans for the integration of the John Bennett facility and the clinical care unit into the new Fort Madison maximum security correctional facility and the future plans for the use of the current Fort Madison maximum security correctional facility after the inmates are transferred to the new facility.

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 16,460,261

It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 29,275,062

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 13,563,645

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

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..... \$ 12,405,714

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 4,835,574

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 12,620,808

Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 10,802,018

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 14,932,616

j. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 901.7, 904.908, and 906.17, and for offenders confined pursuant to section 904.513:

..... \$ 537,546

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:

..... \$ 242,206

2. The department of corrections shall use moneys appropriated in subsection 1 to continue to contract for the services of a Muslim imam and a Native American spiritual leader.

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Sec. \_\_\_\_ . DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes:

..... \$ 2,540,791

a. It is the intent of the general assembly that each lease negotiated by the department of corrections with a private corporation for the purpose of providing private industry employment of inmates in a correctional institution shall prohibit the private corporation from utilizing inmate labor for partisan political purposes for any person seeking election to public office in this state and that a violation of this requirement shall result in a termination of the lease agreement.

b. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not enter into a lease or contractual agreement pursuant to section 904.809 with a private corporation for the use of building space for the purpose of providing inmate employment without providing that the terms of the lease or contract establish safeguards to restrict, to the greatest extent feasible, access by inmates working for the private corporation to personal identifying information of citizens.

2. For educational programs for inmates at state penal institutions:

..... \$ 1,304,055

a. To maximize the funding for educational programs,

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the department shall establish guidelines and procedures to prioritize the availability of educational and vocational training for inmates based upon the goal of facilitating an inmate's successful release from the correctional institution.

b. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to section 904.310, for use in educational programs for inmates.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available to be used only for the purposes designated in this subsection until the close of the succeeding fiscal year.

3. For the development of the Iowa corrections offender network (ICON) data system:

..... \$ 1,000,000

4. For offender mental health and substance abuse treatment:

..... \$ 11,160

5. For viral hepatitis prevention and treatment:

..... \$ 83,941

6. For operations costs and miscellaneous purposes:

..... \$ 1,285,655

7. It is the intent of the general assembly that for the fiscal year addressed by this section the department of corrections shall continue to operate the correctional farms under the control of the department at the same or greater level of participation and involvement as existed as of January 1, 2011; shall not enter into any rental agreement or contract concerning any farmland under the control of the department that is not subject to a rental agreement or contract as of January 1, 2011, without prior legislative approval; and shall further attempt to provide job opportunities at the farms for inmates. The department shall attempt to provide

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job opportunities at the farms for inmates by encouraging labor-intensive farming or gardening where appropriate; using inmates to grow produce and meat for institutional consumption; researching the possibility of instituting food canning and cook-and-chill operations; and exploring opportunities for organic farming and gardening, livestock ventures, horticulture, and specialized crops.

Sec. \_\_\_\_ . JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, for salaries, support, maintenance, and miscellaneous purposes, the following amounts, or so much thereof as is necessary, to be allocated as follows:

a. For the first judicial district department of correctional services:

..... \$ 7,049,543

b. For the second judicial district department of correctional services:

..... \$ 5,435,213

c. For the third judicial district department of correctional services:

..... \$ 3,552,933

d. For the fourth judicial district department of correctional services:

..... \$ 2,747,655

e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis:

..... \$ 9,687,714

f. For the sixth judicial district department of correctional services:

..... \$ 7,319,269

g. For the seventh judicial district department of



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correctional services:

..... \$ 3,804,891

h. For the eighth judicial district department of  
correctional services:

..... \$ 4,103,307

2. Each judicial district department of correctional services, within the funding available, shall continue programs and plans established within that district to provide for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate criminal sanctions.

3. Each judicial district department of correctional services shall provide alternatives to prison consistent with chapter 901B. The alternatives to prison shall ensure public safety while providing maximum rehabilitation to the offender. A judicial district department of correctional services may also establish a day program.

4. The governor's office of drug control policy shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

5. The department of corrections shall continue to contract with a judicial district department of correctional services to provide for the rental of electronic monitoring equipment which shall be available statewide.

Sec. \_\_\_\_\_. DEPARTMENT OF CORRECTIONS — REALLOCATION OF APPROPRIATIONS. Notwithstanding section 8.39, within the moneys appropriated in this division of this Act to the department of corrections, the department may reallocate the moneys appropriated and allocated as necessary to best fulfill the needs of the correctional institutions, administration of the department, and the judicial district departments of

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correctional services. However, in addition to complying with the requirements of sections 904.116 and 905.8 and providing notice to the legislative services agency, the department of corrections shall also provide notice to the department of management, prior to the effective date of the revision or reallocation of an appropriation made pursuant to this section. The department of corrections shall not reallocate an appropriation or allocation for the purpose of eliminating any program.

Sec. \_\_\_\_\_. INTENT — REPORTS.

1. The department of corrections in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities may use inmate labor during the fiscal year beginning July 1, 2014, to restore or preserve rural cemeteries and historical landmarks. The department in cooperation with the counties may also use inmate labor to clean up roads, major water sources, and other water sources around the state.

2. On a quarterly basis the department shall provide a status report regarding private-sector employment to the legislative services agency beginning on July 1, 2014. The report shall include the number of offenders employed in the private sector, the combined number of hours worked by the offenders, the total amount of allowances, and the distribution of allowances pursuant to section 904.702, including any moneys deposited in the general fund of the state.

Sec. \_\_\_\_\_. ELECTRONIC MONITORING REPORT. The department of corrections shall submit a report on electronic monitoring to the general assembly, to the co-chairpersons and the ranking members of the joint appropriations subcommittee on the justice system, and to the legislative services agency by January 15, 2015. The report shall specifically address the number of persons being electronically monitored and break down the number of persons being electronically monitored by offense

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committed. The report shall also include a comparison of any data from the prior fiscal year with the current year.

Sec. \_\_\_\_\_. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

1. As used in this section, unless the context otherwise requires, "state agency" means the government of the state of Iowa, including but not limited to all executive branch departments, agencies, boards, bureaus, and commissions, the judicial branch, the general assembly and all legislative agencies, institutions within the purview of the state board of regents, and any corporation whose primary function is to act as an instrumentality of the state.

2. State agencies are hereby encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. State agencies shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2014, exceeding \$5,000 or in accordance with applicable administrative rules related to purchases for the agency.

Sec. \_\_\_\_\_. IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes,  
including jailer training and technical assistance, and for not  
more than the following full-time equivalent positions:

.....	\$	500,849
.....	FTEs	23.88

It is the intent of the general assembly that the Iowa law enforcement academy may provide training of state and local law enforcement personnel concerning the recognition of and response to persons with Alzheimer's disease.

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The Iowa law enforcement academy may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of state patrol, prior to turning over the automobiles to the department of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of state patrol.

Sec. \_\_\_\_\_. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be allocated as follows for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 12,931,091
..... FTEs	219.00

2. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

.....	\$ 14,950,965
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Sec. \_\_\_\_\_. BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	601,918
.....	FTEs	11.00

Sec. \_\_\_\_\_. DEPARTMENT OF PUBLIC DEFENSE. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. MILITARY DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,263,521
.....	FTEs	293.61

The military division may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION OR SUCCESSOR AGENCY

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,087,139
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..... FTEs 37.40

a. The homeland security and emergency management division or successor agency may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

b. It is the intent of the general assembly that the homeland security and emergency management division or successor agency work in conjunction with the department of public safety, to the extent possible, when gathering and analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.

Sec. \_\_\_\_\_. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department's administrative functions, including the criminal justice information system, and for not more than the following full-time equivalent positions:

..... \$ 2,033,527

..... FTEs 39.00

2. For the division of criminal investigation, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 6,466,707



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..... FTEs 149.60

3. For the criminalistics laboratory fund created in section 691.9:

..... \$ 151,173

4. a. For the division of narcotics enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 3,377,928

..... FTEs 66.00

b. For the division of narcotics enforcement for undercover purchases:

..... \$ 54,521

5. For the division of state fire marshal, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 2,235,278

..... FTEs 53.00

6. For the division of state patrol, for salaries, support, maintenance, workers' compensation costs, and miscellaneous purposes, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries

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for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

.....	\$ 27,768,104
.....	FTEs 494.47

It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.

7. For operations costs, and miscellaneous purposes:

.....	\$ 850,000
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8. For deposit in the sick leave benefits fund established under section 80.42 for all departmental employees eligible to receive benefits for accrued sick leave under the collective bargaining agreement:

.....	\$ 139,759
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9. For costs associated with the training and equipment needs of volunteer fire fighters:

.....	\$ 362,760
-------	------------

a. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this subsection until the close of the succeeding fiscal year.

b. Notwithstanding section 8.39, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate moneys appropriated to the department in this section unless notice of the reallocation is given to the legislative services agency and the department of management prior to the effective date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

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Sec. \_\_\_\_ . GAMING ENFORCEMENT.

1. There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct support costs for agents and officers of the division of criminal investigation's excursion gambling boat, gambling structure, and racetrack enclosure enforcement activities, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,449,004
.....	FTEs	115.00

2. For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2014, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, an additional amount of not more than \$300,000 to be used for not more than 3.00 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2014, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2014. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. \_\_\_\_ . CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so

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much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	648,535
.....	FTEs	28.00

The Iowa state civil rights commission may enter into a contract with a nonprofit organization to provide legal assistance to resolve civil rights complaints.

Sec. \_\_\_\_ . CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	630,053
.....	FTEs	10.81

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. \_\_\_\_ . HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION. There is appropriated from the wireless E911 emergency communications fund created in section 34A.7A to the homeland security and emergency management division or successor agency for the fiscal year beginning July 1, 2014, and ending June 30, 2015, an amount not exceeding \$250,000 to be used for implementation, support, and maintenance of the functions of the administrator and program manager under

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chapter 34A and to employ the auditor of the state to perform an annual audit of the wireless E911 emergency communications fund.

DIVISION \_\_\_\_

PUBLIC SAFETY INTEROPERABLE AND BROADBAND COMMUNICATIONS FUND

Sec. \_\_\_\_ . NEW SECTION. **80.44 Public safety interoperable and broadband communications fund.**

1. A statewide public safety interoperable and broadband communications fund is established in the office of the treasurer of state under the control of the department of public safety. Any moneys annually appropriated, granted, or credited to the fund, including any federal moneys, are appropriated to the department of public safety for the planning and development of a statewide public safety interoperable and broadband communications system.

2. Notwithstanding section 12C.7, subsection 2, interest and earnings on moneys deposited in the fund shall be credited to the fund. Notwithstanding section 8.33, moneys remaining in the fund at the end of the fiscal year shall not revert to any other fund but shall remain available to be used for the purposes specified in subsection 1.

Sec. \_\_\_\_ . 2011 Iowa Acts, chapter 134, section 43, subsection 9, as amended by 2012 Iowa Acts, chapter 1134, section 10, is amended to read as follows:

9. For costs associated with the training and operation of the statewide interoperable communications system board ~~excluding salaries and contracts~~ or deposit in the statewide public safety interoperable and broadband communications fund established in section 80.44, as determined by the department:

..... \$ 48,000

Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section of this division amending 2011 Iowa Acts,

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chapter 134, section 43, subsection 9, as amended by 2012 Iowa Acts, chapter 1134, section 10.

2. The section of this division enacting the section tentatively numbered 80.44.

DIVISION \_\_\_\_

PUBLIC SAFETY AND TRAINING TASK FORCE

Sec. \_\_\_\_ . PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.

1. A public safety training and facilities task force is established. The department of public safety shall provide administrative support for the task force.

2. The task force shall consist of the following members:

a. One member appointed by the Iowa state sheriffs' and deputies' association.

b. One member appointed by the Iowa police chiefs association.

c. One member who is a fire fighter appointed by the Iowa professional fire fighters association.

d. One member who is the administrator of the Iowa fire service training bureau or the administrator's designee.

e. One member who is a representative of the fire service who is not a fire chief appointed by the Iowa firefighters association.

f. The director of the Iowa law enforcement academy or the director's designee.

g. The commissioner of public safety or the training coordinator of the department of public safety, as designated by the commissioner.

h. The state fire marshal or the state fire marshal's designee.

i. One member appointed by the Iowa state police association.

j. One member who is a fire chief appointed by the Iowa fire chiefs association.

k. One member appointed by the Iowa emergency medical

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services association.

1. One member appointed by the Iowa emergency management association.

m. One member who is a fire chief appointed by the Iowa association of professional fire chiefs.

n. One member who is a member of the office of motor vehicle enforcement of the department of transportation appointed by the director of the department of transportation.

o. Four members of the general assembly serving as ex officio, nonvoting members, one representative to be appointed by the speaker of the house of representatives, one representative to be appointed by the minority leader of the house of representatives, one senator to be appointed by the majority leader of the senate, and one senator to be appointed by the minority leader of the senate.

3. The members of the task force shall select one chairperson and one vice chairperson. The vice chairperson shall preside in the absence of the chairperson. Section 69.16A shall apply to the voting members of the task force.

4. It is the intent of the general assembly in establishing this task force that the task force develop a coordinated plan amongst all public safety disciplines that would oversee the construction of a consolidated fire and police public safety training facility, provide for the establishment of a governance board for the public safety disciplines and the consolidated facility, and to establish a consistent and steady funding mechanism to defray public safety training costs on an ongoing basis.

5. The task force shall seek and consider input from all interested stakeholders and members of the public and shall include an emphasis on receiving input from fire service, law enforcement, and emergency medical services personnel. The task force shall consider and develop strategies relating to public safety training facility governance with the goal of

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all public safety disciplines being represented. Each public safety discipline shall advise the task force by developing individual training policies as determined by the discipline's governing bodies. The task force shall also develop a proposal for a joint public safety training facility, a budget for construction and future operation of the facility, financing options, including possible public-private partnerships, for construction and operation of the facility, and potential locations for the facility that are centrally located in this state.

6. a. The task force shall provide interim reports to the general assembly by December 31 of each year concerning the activities of the task force and shall submit its final report, including its findings and recommendations, to the general assembly by December 31, 2016.

b. The final report shall include but not be limited to recommendations concerning the following:

(1) Consolidation of public safety governance within a single board and the membership of the board. Board duties would include overseeing the construction and maintenance of a consolidated fire and police public safety training facility.

(2) Development of a consolidated fire and police public safety training facility, including possible locations, building recommendations, and financing options.

(3) Any other recommendations relating to public safety training and facilities requirements.

DIVISION \_\_\_\_

CIGARETTE FIRE SAFETY STANDARD FUND — APPROPRIATION

Sec. \_\_\_\_\_. Section 101B.5, subsection 5, Code 2013, is amended to read as follows:

5. For each cigarette listed in a certification, a manufacturer shall pay a fee of one hundred dollars to the department. The department shall deposit all fees received pursuant to this subsection with the treasurer of state for



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credit to the general fund of the state.

Sec. \_\_\_\_\_. Section 101B.8, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The department shall deposit any moneys received from civil penalties assessed pursuant to this section with the treasurer of state for credit to the general fund of the state.

Sec. \_\_\_\_\_. Section 101B.9, Code 2013, is amended to read as follows:

**101B.9 Cigarette fire safety standard fund.**

A cigarette fire safety standard fund is created as a special fund in the state treasury under the control of the department of public safety. The fund shall consist of all moneys recovered from the assessment of civil penalties or certification fees under this chapter. ~~The moneys in the fund shall, in~~ In addition to any moneys made available for such purpose, ~~be available, subject to appropriation,~~ moneys in the fund are appropriated to the department of public safety for the purpose of fire safety and prevention programs, including for entry level fire fighter training, equipment, and operations.

Sec. \_\_\_\_\_. REPEAL. Section 101B.9, Code 2013, is repealed.

Sec. \_\_\_\_\_. CIGARETTE FIRE SAFETY STANDARD FUND. Any remaining balance of the cigarette fire safety standard fund at the close of the fiscal year beginning July 1, 2012, is transferred to the department of justice and is appropriated for use during the fiscal year beginning July 1, 2013, and ending June 30, 2014, for victim assistance grants.

Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section amending section 101B.9.
2. The section providing for transfer of any remaining balance of the cigarette fire safety standard fund at the close

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of the fiscal year beginning July 1, 2012.

3. The section providing for retroactive applicability.

Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to July 1, 2007:

1. The section of this division amending section 101B.9.

DIVISION \_\_\_\_

SPECIAL AGENTS — GAMING

Sec. \_\_\_\_\_. Section 99D.14, subsection 2, paragraph a, Code 2013, is amended to read as follows:

a. (1) A licensee shall pay a regulatory fee to be charged as provided in this section. In determining the regulatory fee to be charged as provided under this section, the commission shall use the amount appropriated to the commission plus the cost of salaries for no more than ~~two~~ three special agents for each racetrack that has not been issued a table games license under chapter 99F or no more than three special agents for each racetrack that has been issued a table games license under chapter 99F, plus any direct and indirect support costs for the agents, for the division of criminal investigation's racetrack activities, as the basis for determining the amount of revenue to be raised from the regulatory fee.

(2) Indirect support costs under this section shall be calculated at the same rate used in accordance with the federal office of management and budget cost principles for state, local, and Indian tribal governments that receive a federally approved indirect cost rate.

Sec. \_\_\_\_\_. Section 99D.14, subsection 2, Code 2013, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. The aggregate amount of the regulatory fee assessed under paragraph "a" during each fiscal year shall be reduced by an amount equal to the unexpended moneys from the previous fiscal year that were deposited into the revolving funds established in sections 80.43 and 99F.20 during that

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previous fiscal year.

NEW PARAGRAPH. *e.* By January 1, 2015, and by January 1 of every year thereafter, the division of criminal investigation shall provide the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the legislative services agency, and the commission with a report detailing the activities of the division during the previous fiscal year for each racetrack enclosure.

NEW PARAGRAPH. *f.* The division of criminal investigation shall conduct a review relating to the number of special agents permitted for each racetrack under this subsection and the activities of such agents. The review shall also include comments from the commission and licensees and be combined with the review conducted under section 99F.10, subsection 4, paragraph "g". The division of criminal investigation shall file a report detailing the review conducted pursuant to this paragraph with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by July 1, 2020.

Sec. \_\_\_\_\_. Section 99F.10, subsection 4, Code 2013, is amended to read as follows:

4. *a.* In determining the license fees and state regulatory fees to be charged as provided under section 99F.4 and this section, the commission shall use as the basis for determining the amount of revenue to be raised from the license fees and regulatory fees the amount appropriated to the commission plus the following as applicable:

(1) Prior to July 1, 2016, the cost of salaries for no more than two special agents for each excursion gambling boat or gambling structure and no more than four gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of less than two thousand persons or no more than five gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of

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at least two thousand persons, plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat or gambling structure activities. However, the division of criminal investigation may add one additional special agent to the number of special agents specified in this subparagraph for each excursion gambling boat or gambling structure if at least two gaming enforcement officer full-time equivalent positions are vacant. Otherwise, the division of criminal investigation shall not fill vacant gaming enforcement officer positions.

(2) On or after July 1, 2016, the cost of salaries for no more than three special agents for each excursion gambling boat or gambling structure, plus any direct and indirect support costs for the agents, for the division of criminal investigation's excursion gambling boat or gambling structure activities.

*b.* Notwithstanding sections 8.60 and 99F.4, the portion of the fee paid pursuant to paragraph "a" relating to the costs of special agents and officers plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat or gambling structure activities, shall be deposited into the gaming enforcement revolving fund established in section 80.43. However, the department of public safety shall transfer, on an annual basis, the portion of the regulatory fee attributable to the indirect support costs of the special agents and gaming enforcement officers to the general fund of the state.

*c.* Notwithstanding sections 8.60 and 99F.4, the portion of the fee paid pursuant to paragraph "a" relating to the costs of the commission shall not be deposited in the general fund of the state but instead shall be deposited into the gaming regulatory revolving fund established in section 99F.20.

*d.* Indirect support costs under paragraph "a" shall be calculated at the same rate used in accordance with the federal

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office of management and budget cost principles for state, local, and Indian tribal governments that receive a federally approved indirect cost rate.

e. The aggregate amount of the regulatory fee assessed under paragraph "a" during each fiscal year shall be reduced by an amount equal to the unexpended moneys from the previous fiscal year that were deposited into the revolving funds established in sections 80.43 or 99F.20 during that previous fiscal year.

f. By January 1, 2015, and by January 1 of every year thereafter, the division of criminal investigation shall provide the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the legislative services agency, and the commission with a report detailing the activities of the division during the previous fiscal year for each excursion gambling boat and gambling structure.

g. The division of criminal investigation shall review the number of special agents permitted for each excursion gambling boat or gambling structure under this subsection and the activities of such agents. The review shall also include comments from the commission and licensees and be combined with the review conducted under section 99D.14, subsection 2, paragraph "f". The division of criminal investigation shall file a report detailing the review conducted pursuant to this paragraph with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by July 1, 2020.

Sec. \_\_\_\_\_. GAMING ENFORCEMENT STUDY. The division of criminal investigation of the department of public safety and the Iowa gaming association shall jointly or separately file a report with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by December 15, 2013, detailing the activities of gaming enforcement officers and

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special agents working at excursion gambling boats, gambling structures, and racetrack enclosures. The report shall include the number of incidences the gaming enforcement officers handle versus private security, the number of fraud investigations and background checks performed by the special agents, and the percentage of time gaming enforcement officers and special agents work on gaming-related and nongaming-related cases. The report shall also include the time periods each excursion gambling boat, gambling structure, and racetrack enclosure are not staffed by at least one gaming enforcement officer or special agent.

DIVISION \_\_\_\_

JUDICIAL COMPENSATION — STUDY

Sec. \_\_\_\_ . JUDICIAL COMPENSATION — INTERIM STUDY COMMITTEE.

1. The legislative council is requested to authorize an interim committee to study judicial compensation during the 2013 legislative interim.

2. The committee shall be composed of the following:

- a. Three members of the senate.
- b. Three members of the house of representatives.
- c. A member appointed by the governor.
- d. A supreme court justice.
- e. A district judge.
- f. A district associate judge.
- g. A magistrate.
- h. The state court administrator.

DIVISION \_\_\_\_

MISCELLANEOUS CODE CHANGES

Sec. \_\_\_\_ . Section 85.67, Code 2013, is amended to read as follows:

**85.67 Administration of fund — special counsel — payment of award.**

The attorney general shall appoint a staff member to represent the treasurer of state and the fund in all

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proceedings and matters arising under this division. The attorney general shall be reimbursed up to ~~one hundred fifty~~ two hundred fifteen thousand dollars annually from the fund for services provided related to the fund. The commissioner of insurance shall consider the reimbursement to the attorney general as an outstanding liability when making a determination of funding availability under section 85.65A, subsection 2. In making an award under this division, the workers' compensation commissioner shall specifically find the amount the injured employee shall be paid weekly, the number of weeks of compensation which shall be paid by the employer, the date upon which payments out of the fund shall begin, and, if possible, the length of time the payments shall continue.

Sec. \_\_\_\_\_. Section 654.4B, subsection 2, paragraph b, Code 2013, is amended by striking the paragraph.

Sec. \_\_\_\_\_. Section 714.16C, subsection 2, Code 2013, is amended to read as follows:

2. For each fiscal year, not more than one million ~~one hundred twenty-five~~ eight hundred seventy-five thousand dollars is appropriated from the fund to the department of justice to be used for public education relating to consumer fraud and for enforcement of section 714.16 and federal consumer laws, and not more than ~~seventy-five~~ one hundred twenty-five thousand dollars is appropriated from the fund to the department of justice to be used for investigation, prosecution, and consumer education relating to consumer and criminal fraud committed against older Iowans.

Sec. \_\_\_\_\_. IOWA CORRECTIONS OFFENDER NETWORK — FUND. Notwithstanding any provision of law to the contrary, the unencumbered or unobligated balance of the Iowa corrections offender network fund at the close of the fiscal year beginning July 1, 2012, or the close of any succeeding fiscal year that would otherwise be required by law to revert to, be deposited in, or to be credited to the Iowa offender network fund shall

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instead be credited to the general fund of the state.

Sec. \_\_\_\_\_. REPEAL. Section 904.118, Code 2013, is repealed.>

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

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THOMAS G. COURTNEY,  
CHAIRPERSON

---

GARY WORTHAN,  
CHAIRPERSON

---

ROBERT M. HOGG

---

MARTI ANDERSON

---

RICH TAYLOR

---

JULIAN GARRETT

---

TODD TAYLOR

CCS-447      FILED MAY 15, 2013



REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 430

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 430, a bill for an Act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-3161.
2. That Senate File 430, as amended, passed, and reprinted by the Senate, is amended to read as follows:
  1. By striking everything after the enacting clause and inserting:

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FY 2013-2014

Section 1. DEPARTMENT OF CULTURAL AFFAIRS.

1. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for the department:

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.....	\$	171,813
.....	FTEs	74.50

The department of cultural affairs shall coordinate activities with the tourism office of the economic development authority to promote attendance at the state historical building and at this state's historic sites.

Full-time equivalent positions authorized under this paragraph shall be funded, in full or in part, using moneys appropriated under this paragraph and paragraphs "c" through "g".

b. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3:

.....	\$	172,090
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c. HISTORICAL DIVISION

For the support of the historical division:

.....	\$	3,167,701
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d. HISTORIC SITES

For the administration and support of historic sites:

.....	\$	426,398
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e. ARTS DIVISION

For the support of the arts division:

.....	\$	1,233,764
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Of the moneys appropriated in this paragraph, the department shall allocate \$300,000 for purposes of the film office.

f. IOWA GREAT PLACES

For the Iowa great places program established under section 303.3C:

.....	\$	150,000
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g. ARCHIVE IOWA GOVERNORS' RECORDS

For archiving the records of Iowa governors:

.....	\$	65,933
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h. RECORDS CENTER RENT

For payment of rent for the state records center:

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..... \$ 227,243

i. BATTLE FLAGS

For continuation of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection:

..... \$ 94,000

2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

1. For the fiscal year beginning July 1, 2013, the goals for the economic development authority shall be to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state.

2. To achieve the goals in subsection 1, the economic development authority shall do all of the following for the fiscal year beginning July 1, 2013:

a. Concentrate its efforts on programs and activities that result in commercially viable products and services.

b. Adopt practices and services consistent with free market, private sector philosophies.

c. Ensure economic growth and development throughout the state.

d. Work with businesses and communities to continually improve the economic development climate along with the economic well-being and quality of life for Iowans.

e. Coordinate with other state agencies to ensure that they are attentive to the needs of an entrepreneurial culture.

f. Establish a strong and aggressive marketing image to showcase Iowa's workforce, existing industry, and potential. A priority shall be placed on recruiting new businesses, business expansion, and retaining existing Iowa businesses.

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Emphasis shall be placed on entrepreneurial development through helping entrepreneurs secure capital, and developing networks and a business climate conducive to entrepreneurs and small businesses.

g. Encourage the development of communities and quality of life to foster economic growth.

h. Prepare communities for future growth and development through development, expansion, and modernization of infrastructure.

i. Develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts.

j. Develop, to the fullest extent possible, cooperative efforts for advertising with contributions from other sources.

Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.

1. APPROPRIATION

a. There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated in this subsection, and for not more than the following full-time equivalent positions:

.....	\$ 15,468,965
.....	FTEs 149.00

b. (1) For salaries, support, miscellaneous purposes, programs, marketing, and the maintenance of an administration division, a business development division, a community development division, a small business development division, and other divisions the authority may organize.

(2) The full-time equivalent positions authorized under this section shall be funded, in whole or in part, by the moneys appropriated under this subsection or by other moneys received by the authority, including certain federal moneys.

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(3) For business development operations and programs, international trade, export assistance, workforce recruitment, and the partner state program.

(4) For transfer to the strategic investment fund created in section 15.313.

(5) For community economic development programs, tourism operations, community assistance, plans for Iowa green corps and summer youth programs, the mainstreet and rural mainstreet programs, the school-to-career program, the community development block grant, and housing and shelter-related programs.

(6) For achieving the goals and accountability, and fulfilling the requirements and duties required under this Act.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection until the close of the succeeding fiscal year.

## 2. FINANCIAL ASSISTANCE RESTRICTIONS

a. A business creating jobs through moneys appropriated in subsection 1 shall be subject to contract provisions requiring new and retained jobs to be filled by individuals who are citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

b. Any vendor who receives moneys appropriated in subsection 1 shall adhere to such contract provisions and provide periodic assurances as the state shall require that the jobs are filled solely by citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

c. A business that receives financial assistance from

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the authority from moneys appropriated in subsection 1 shall only employ individuals legally authorized to work in this state. In addition to all other applicable penalties provided by current law, all or a portion of the assistance received by a business which is found to knowingly employ individuals not legally authorized to work in this state is subject to recapture by the authority.

### 3. USES OF APPROPRIATIONS

a. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the state and former students at colleges and universities in the state to meet the needs of local employers.

b. From the moneys appropriated in subsection 1, the authority may provide financial assistance to early stage industry companies being established by women entrepreneurs.

c. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of grants, loans, or forgivable loans for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology.

d. The authority shall not use any moneys appropriated in subsection 1 for purposes of providing financial assistance for the Iowa green streets pilot project or for any other program or project that involves the installation of geothermal systems for melting snow and ice from streets or sidewalks.

### 4. WORLD FOOD PRIZE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount for the world food prize and in lieu of the standing appropriation in section 15.368, subsection 1:

..... \$ 800,000

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5. IOWA COMMISSION ON VOLUNTEER SERVICE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount for allocation to the Iowa commission on volunteer service for purposes of the Iowa state commission grant program, the Iowa's promise and Iowa mentoring partnership programs, and for not more than the following full-time equivalent positions:

.....	\$	178,133
.....	FTEs	7.00

Of the moneys appropriated in this subsection, the authority shall allocate \$75,000 for purposes of the Iowa state commission grant program and \$103,133 for purposes of the Iowa's promise and Iowa mentoring partnership programs.

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

6. COUNCILS OF GOVERNMENTS — ASSISTANCE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount to be used for the purposes of providing financial assistance to Iowa's councils of governments:

.....	\$	175,000
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Sec. 4. VISION IOWA PROGRAM — FTE AUTHORIZATION. For purposes of administrative duties associated with the vision Iowa program for the fiscal year beginning July 1, 2013, the economic development authority is authorized an additional 2.25 FTEs above those otherwise authorized in this division of this Act.

Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. From the moneys

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collected by the division of insurance in excess of the anticipated gross revenues under section 505.7, subsection 3, during the fiscal year beginning July 1, 2013, \$100,000 shall be transferred to the economic development authority for insurance economic development and international insurance economic development.

Sec. 6. WORKFORCE DEVELOPMENT FUND. There is appropriated from the workforce development fund account created in section 15.342A to the workforce development fund created in section 15.343 for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, for purposes of the workforce development fund:

..... \$ 4,000,000

Sec. 7. IOWA FINANCE AUTHORITY.

1. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used to provide reimbursement for rent expenses to eligible persons under the rent subsidy program:

..... \$ 658,000

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, 2013, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 8. IOWA FINANCE AUTHORITY AUDIT. The auditor of state is requested to review the audit of the Iowa finance authority performed by the auditor hired by the authority.

Sec. 9. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. There is appropriated from the general fund of the state



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to the public employment relations board for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,341,926
.....	FTEs	10.00

2. Of the moneys appropriated in this section, the board shall allocate \$15,000 for maintaining a website that allows searchable access to a database of collective bargaining information.

Sec. 10. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. DIVISION OF LABOR SERVICES

a. For the division of labor services, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,548,720
.....	FTEs	65.00

b. From the contractor registration fees, the division of labor services shall reimburse the department of inspections and appeals for all costs associated with hearings under chapter 91C, relating to contractor registration.

c. Of the moneys appropriated under this subsection, the department shall allocate \$53,280 for the purpose of employing an additional investigator to investigate wage enforcement.

2. DIVISION OF WORKERS' COMPENSATION

a. For the division of workers' compensation, including

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salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,259,044
.....	FTEs	30.00

b. The division of workers' compensation shall charge a \$100 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim. However, the fee can be taxed as a cost and paid by the losing party, except in cases where it would impose an undue hardship or be unjust under the circumstances. The moneys generated by the filing fee allowed under this subsection are appropriated to the department of workforce development to be used for purposes of administering the division of workers' compensation.

### 3. WORKFORCE DEVELOPMENT OPERATIONS

a. For the operation of field offices, the workforce development board, and for not more than the following full-time equivalent positions:

.....	\$	9,179,413
.....	FTEs	130.00

b. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate \$150,000 to the state library for the purpose of licensing an online resource which prepares persons to succeed in the workplace through programs which improve job skills and vocational test-taking abilities.

c. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate at least \$1,130,602 for the operation of the three satellite field offices projected by the department to serve the most people from the offices located in Decorah, Fort Madison, Iowa City, or Webster City.

### 4. OFFENDER REENTRY PROGRAM

a. For the development and administration of an offender reentry program to provide offenders with employment skills, and for not more than the following full-time equivalent

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positions:

.....	\$	284,464
.....	FTEs	4.00

b. The department of workforce development shall partner with the department of corrections to provide staff within the correctional facilities to improve offenders' abilities to find and retain productive employment.

#### 5. NONREVERSION

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 11. GENERAL FUND — EMPLOYEE MISCLASSIFICATION PROGRAM. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For enhancing efforts to investigate employers that misclassify workers and for not more than the following full-time equivalent positions:

.....	\$	451,458
.....	FTEs	8.10

#### Sec. 12. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

1. There is appropriated from the special employment security contingency fund to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for field offices:

.....	\$	1,766,084
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2. Any remaining additional penalty and interest revenue collected by the department of workforce development is appropriated to the department for the fiscal year beginning

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July 1, 2013, and ending June 30, 2014, to accomplish the mission of the department.

Sec. 13. UNEMPLOYMENT COMPENSATION RESERVE FUND — FIELD OFFICES. Notwithstanding section 96.9, subsection 8, paragraph "e", there is appropriated from interest earned on the unemployment compensation reserve fund to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount or so much thereof as is necessary, for the purposes designated:

For the operation of field offices:

..... \$ 494,000

Sec. 14. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The department of workforce development shall require a unique identification login for all users of workforce development centers operated through electronic means.

Sec. 15. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph "a", moneys credited to the state by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act are appropriated to the department of workforce development and shall be used by the department for the administration of the unemployment compensation program only. This appropriation shall not apply to any fiscal year beginning after December 31, 2013.

## DIVISION II

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Sec. 16. DEPARTMENT OF CULTURAL AFFAIRS.

1. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes,

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and for not more than the following full-time equivalent positions for the department:

.....	\$	85,907
.....	FTEs	74.50

The department of cultural affairs shall coordinate activities with the tourism office of the economic development authority to promote attendance at the state historical building and at this state's historic sites.

Full-time equivalent positions authorized under this paragraph shall be funded, in full or in part, using moneys appropriated under this paragraph and paragraphs "c" through "g".

b. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3:

.....	\$	86,045
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c. HISTORICAL DIVISION

For the support of the historical division:

.....	\$	1,583,851
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d. HISTORIC SITES

For the administration and support of historic sites:

.....	\$	213,199
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e. ARTS DIVISION

For the support of the arts division:

.....	\$	616,882
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Of the moneys appropriated in this paragraph, the department shall allocate \$300,000 for purposes of the film office.

f. IOWA GREAT PLACES

For the Iowa great places program established under section 303.3C:

.....	\$	75,000
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g. ARCHIVE IOWA GOVERNORS' RECORDS

For archiving the records of Iowa governors:

.....	\$	32,967
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h. RECORDS CENTER RENT

For payment of rent for the state records center:

..... \$ 113,622

i. BATTLE FLAGS

For continuation of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection:

..... \$ 47,000

2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 17. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

1. For the fiscal year beginning July 1, 2014, the goals for the economic development authority shall be to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state.

2. To achieve the goals in subsection 1, the economic development authority shall do all of the following for the fiscal year beginning July 1, 2014:

a. Concentrate its efforts on programs and activities that result in commercially viable products and services.

b. Adopt practices and services consistent with free market, private sector philosophies.

c. Ensure economic growth and development throughout the state.

d. Work with businesses and communities to continually improve the economic development climate along with the economic well-being and quality of life for Iowans.

e. Coordinate with other state agencies to ensure that they are attentive to the needs of an entrepreneurial culture.

f. Establish a strong and aggressive marketing image to showcase Iowa's workforce, existing industry, and potential.

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A priority shall be placed on recruiting new businesses, business expansion, and retaining existing Iowa businesses. Emphasis shall be placed on entrepreneurial development through helping entrepreneurs secure capital, and developing networks and a business climate conducive to entrepreneurs and small businesses.

g. Encourage the development of communities and quality of life to foster economic growth.

h. Prepare communities for future growth and development through development, expansion, and modernization of infrastructure.

i. Develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts.

j. Develop, to the fullest extent possible, cooperative efforts for advertising with contributions from other sources.

Sec. 18. ECONOMIC DEVELOPMENT AUTHORITY.

1. APPROPRIATION

a. There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated in this subsection, and for not more than the following full-time equivalent positions:

.....	\$	7,734,483
.....	FTEs	149.00

b. (1) For salaries, support, miscellaneous purposes, programs, marketing, and the maintenance of an administration division, a business development division, a community development division, a small business development division, and other divisions the authority may organize.

(2) The full-time equivalent positions authorized under this section shall be funded, in whole or in part, by the

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moneys appropriated under this subsection or by other moneys received by the authority, including certain federal moneys.

(3) For business development operations and programs, international trade, export assistance, workforce recruitment, and the partner state program.

(4) For transfer to the strategic investment fund created in section 15.313.

(5) For community economic development programs, tourism operations, community assistance, plans for Iowa green corps and summer youth programs, the mainstreet and rural mainstreet programs, the school-to-career program, the community development block grant, and housing and shelter-related programs.

(6) For achieving the goals and accountability, and fulfilling the requirements and duties required under this Act.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection until the close of the succeeding fiscal year.

## 2. FINANCIAL ASSISTANCE RESTRICTIONS

a. A business creating jobs through moneys appropriated in subsection 1 shall be subject to contract provisions requiring new and retained jobs to be filled by individuals who are citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

b. Any vendor who receives moneys appropriated in subsection 1 shall adhere to such contract provisions and provide periodic assurances as the state shall require that the jobs are filled solely by citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including



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legal resident aliens in the United States.

c. A business that receives financial assistance from the authority from moneys appropriated in subsection 1 shall only employ individuals legally authorized to work in this state. In addition to all other applicable penalties provided by current law, all or a portion of the assistance received by a business which is found to knowingly employ individuals not legally authorized to work in this state is subject to recapture by the authority.

### 3. USES OF APPROPRIATIONS

a. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the state and former students at colleges and universities in the state to meet the needs of local employers.

b. From the moneys appropriated in subsection 1, the authority may provide financial assistance to early stage industry companies being established by women entrepreneurs.

c. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of grants, loans, or forgivable loans for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology.

d. The authority shall not use any moneys appropriated in subsection 1 for purposes of providing financial assistance for the Iowa green streets pilot project or for any other program or project that involves the installation of geothermal systems for melting snow and ice from streets or sidewalks.

### 4. WORLD FOOD PRIZE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount for the world food prize and in lieu of the standing

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appropriation in section 15.368, subsection 1:

..... \$ 400,000

5. IOWA COMMISSION ON VOLUNTEER SERVICE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount for allocation to the Iowa commission on volunteer service for purposes of the Iowa state commission grant program, the Iowa's promise and Iowa mentoring partnership programs, and for not more than the following full-time equivalent positions:

..... \$ 89,067

..... FTEs 7.00

Of the moneys appropriated in this subsection, the authority shall allocate \$37,500 for purposes of the Iowa state commission grant program and \$51,567 for purposes of the Iowa's promise and Iowa mentoring partnership programs.

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

6. COUNCILS OF GOVERNMENTS — ASSISTANCE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount to be used for the purposes of providing financial assistance to Iowa's councils of governments:

..... \$ 87,500

Sec. 19. VISION IOWA PROGRAM — FTE AUTHORIZATION. For purposes of administrative duties associated with the vision Iowa program for the fiscal year beginning July 1, 2014, the economic development authority is authorized an additional 2.25 FTEs above those otherwise authorized in this division of this

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Act.

Sec. 20. INSURANCE ECONOMIC DEVELOPMENT. From the moneys collected by the division of insurance in excess of the anticipated gross revenues under section 505.7, subsection 3, during the fiscal year beginning July 1, 2014, \$100,000 shall be transferred to the economic development authority for insurance economic development and international insurance economic development.

Sec. 21. WORKFORCE DEVELOPMENT FUND. There is appropriated from the workforce development fund account created in section 15.342A to the workforce development fund created in section 15.343 for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, for purposes of the workforce development fund:

..... \$ 2,000,000

Sec. 22. IOWA FINANCE AUTHORITY.

1. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used to provide reimbursement for rent expenses to eligible persons under the rent subsidy program:

..... \$ 329,000

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, 2014, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 23. IOWA FINANCE AUTHORITY AUDIT. The auditor of state is requested to review the audit of the Iowa finance authority performed by the auditor hired by the authority.

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Sec. 24. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. There is appropriated from the general fund of the state to the public employment relations board for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	670,963
.....	FTEs	10.00

2. Of the moneys appropriated in this section, the board shall allocate \$15,000 for maintaining a website that allows searchable access to a database of collective bargaining information.

Sec. 25. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. DIVISION OF LABOR SERVICES

a. For the division of labor services, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,774,360
.....	FTEs	65.00

b. From the contractor registration fees, the division of labor services shall reimburse the department of inspections and appeals for all costs associated with hearings under chapter 91C, relating to contractor registration.

c. Of the moneys appropriated under this subsection, the department shall allocate \$53,280 for the purpose of employing an additional investigator to investigate wage enforcement.

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2. DIVISION OF WORKERS' COMPENSATION

a. For the division of workers' compensation, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,629,522
.....	FTEs	30.00

b. The division of workers' compensation shall charge a \$100 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim. However, the fee can be taxed as a cost and paid by the losing party, except in cases where it would impose an undue hardship or be unjust under the circumstances. The moneys generated by the filing fee allowed under this subsection are appropriated to the department of workforce development to be used for purposes of administering the division of workers' compensation.

3. WORKFORCE DEVELOPMENT OPERATIONS

a. For the operation of field offices, the workforce development board, and for not more than the following full-time equivalent positions:

.....	\$	4,589,707
.....	FTEs	130.00

b. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate \$150,000 to the state library for the purpose of licensing an online resource which prepares persons to succeed in the workplace through programs which improve job skills and vocational test-taking abilities.

c. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate at least \$1,130,602 for the operation of the three satellite field offices projected by the department to serve the most people from the offices located in Decorah, Fort Madison, Iowa City, or Webster City.

4. OFFENDER REENTRY PROGRAM

a. For the development and administration of an offender

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reentry program to provide offenders with employment skills,  
and for not more than the following full-time equivalent  
positions:

.....	\$	142,232
.....	FTEs	4.00

b. The department of workforce development shall partner  
with the department of corrections to provide staff within the  
correctional facilities to improve offenders' abilities to find  
and retain productive employment.

#### 5. NONREVERSION

Notwithstanding section 8.33, moneys appropriated in this  
section that remain unencumbered or unobligated at the close of  
the fiscal year shall not revert but shall remain available for  
expenditure for the purposes designated until the close of the  
succeeding fiscal year.

Sec. 26. GENERAL FUND — EMPLOYEE MISCLASSIFICATION  
PROGRAM. There is appropriated from the general fund of the  
state to the department of workforce development for the fiscal  
year beginning July 1, 2014, and ending June 30, 2015, the  
following amount, or so much thereof as is necessary, to be  
used for the purposes designated:

For enhancing efforts to investigate employers that  
misclassify workers and for not more than the following  
full-time equivalent positions:

.....	\$	225,729
.....	FTEs	8.10

#### Sec. 27. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

1. There is appropriated from the special employment  
security contingency fund to the department of workforce  
development for the fiscal year beginning July 1, 2014, and  
ending June 30, 2015, the following amount, or so much thereof  
as is necessary, to be used for field offices:

.....	\$	883,042
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2. Any remaining additional penalty and interest revenue

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collected by the department of workforce development is appropriated to the department for the fiscal year beginning July 1, 2014, and ending June 30, 2015, to accomplish the mission of the department.

Sec. 28. UNEMPLOYMENT COMPENSATION RESERVE FUND — FIELD OFFICES. Notwithstanding section 96.9, subsection 8, paragraph "e", there is appropriated from interest earned on the unemployment compensation reserve fund to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount or so much thereof as is necessary, for the purposes designated:

For the operation of field offices:

..... \$ 247,000

Sec. 29. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The department of workforce development shall require a unique identification login for all users of workforce development centers operated through electronic means.

Sec. 30. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph "a", moneys credited to the state by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act are appropriated to the department of workforce development and shall be used by the department for the administration of the unemployment compensation program only. This appropriation shall not apply to any fiscal year beginning after December 31, 2014.

#### DIVISION III

#### MISCELLANEOUS PROVISIONS

Sec. 31. Section 15.251, Code 2013, is amended to read as follows:

**15.251 Industrial new job training program certificates — fee.**

The authority may charge, within thirty days following the sale of certificates under chapter 260E, the board of directors

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of the merged area a fee of up to one percent of the gross sale amount of the certificates issued. The amount of this fee shall be deposited and allowed to accumulate in a job training fund created in the authority. ~~At the end of each fiscal year, all funds deposited under this subsection into the job training fund during the fiscal year shall be transferred to the workforce development fund account established in section 15.342A~~ Moneys in the fund are appropriated to the authority for purposes of workforce development program coordination and activities including salaries, support, maintenance, legal and compliance, and miscellaneous purposes.

Sec. 32. Section 15.342A, Code 2013, is amended to read as follows:

**15.342A Workforce development fund account.**

A workforce development fund account is established in the office of the treasurer of state under the control of the authority. The account shall receive funds pursuant to section 422.16A up to a maximum of four million dollars per year. ~~The account shall also receive funds pursuant to section 15.251 with no dollar limitation.~~

Sec. 33. Section 90A.7, Code 2013, is amended to read as follows:

**90A.7 Rules.**

1. The commissioner shall adopt rules, pursuant to chapter 17A, that the commissioner determines are reasonably necessary to administer and enforce this chapter.

2. The commissioner shall adopt rules establishing an event fee to cover the costs of the administration of this chapter.

3. The commissioner may adopt the rules of a recognized national or world boxing organization that sanctions a boxing match in this state to regulate the match if the organization's rules provide protection to the boxers participating in the match which is equal to or greater than the protections provided by this chapter or by rules adopted pursuant to this



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chapter. As used in this paragraph, "*recognized national or world boxing organization*" includes, but is not limited to, the international boxing federation, the world boxing association, and the world boxing council.

Sec. 34. Section 90A.10, subsection 1, Code 2013, is amended to read as follows:

1. Moneys collected pursuant to ~~sections 90A.3 and section 90A.9 in excess of the amount of moneys needed to administer this chapter~~ from a professional boxing event are appropriated to the department of workforce development and shall be used by the commissioner to award grants to organizations that promote amateur boxing matches in this state. All other moneys collected by the commissioner pursuant to this chapter are appropriated to the department of workforce development and shall be used by the commissioner to administer this chapter. Section 8.33 applies only to moneys in excess of the first twenty thousand dollars appropriated each fiscal year.

Sec. 35. Section 303A.4, subsection 4, Code 2013, is amended to read as follows:

4. a. The treasurer of state shall act as custodian of the fund, shall invest moneys in the trust fund, and shall transfer the interest attributable to the investment of trust fund moneys to the grant account created in section 303A.7. The trust fund's principal shall not be used or accessed by the department or the board for any purpose.

b. Notwithstanding paragraph "a", for each of the following fiscal years, the treasurer of state shall transfer the following amounts from the principal of the trust fund to the grant account created in section 303A.7:

(1) For the fiscal year beginning July 1, 2013, and ending June 30, 2014, fifty thousand dollars.

(2) For the fiscal year beginning July 1, 2014, and ending June 30, 2015, fifty thousand dollars.

Sec. 36. 2005 Iowa Acts, chapter 169, section 5, subsection

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6, is amended to read as follows:

6. GREAT PLACES

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 200,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 37. 2006 Iowa Acts, chapter 1180, section 5, subsection 6, as amended by 2007 Iowa Acts, chapter 215, section 45, is amended to read as follows:

6. GREAT PLACES

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 300,000

..... FTEs 1.70

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated ~~until the close of the~~ for succeeding fiscal years.

Sec. 38. 2007 Iowa Acts, chapter 212, section 1, subsection 6, as amended by 2007 Iowa Acts, chapter 215, section 46, is amended to read as follows:

6. GREAT PLACES

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 305,794

..... FTEs 3.00

Notwithstanding section 8.33, moneys appropriated in this

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subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated ~~until the close of the~~ for succeeding fiscal year years.

Sec. 39. 2008 Iowa Acts, chapter 1190, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	322,231
.....	FTEs	3.00

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 40. 2009 Iowa Acts, chapter 176, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For the great places program:

.....	\$	248,060
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b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 41. 2010 Iowa Acts, chapter 1188, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For the great places program:

.....	\$	214,869
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b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the

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close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 42. 2011 Iowa Acts, chapter 130, section 1, subsection 6, is amended to read as follows:

6. IOWA GREAT PLACES

a. For the Iowa great places program established under section 303.3C:

..... \$ 150,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 43. 2011 Iowa Acts, chapter 130, section 48, as amended by 2012 Iowa Acts, chapter 1136, section 1, is amended by adding the following new subsection:

NEW SUBSECTION. 10. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this section for succeeding fiscal years.

Sec. 44. 2011 Iowa Acts, chapter 130, section 67, subsection 2, is amended to read as follows:

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, ~~2011~~ 2012, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 45. 2012 Iowa Acts, chapter 1136, section 17, is amended by adding the following new subsection:

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NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 46. EFFECTIVE UPON ENACTMENT. The sections of this division of this Act amending 2011 Iowa Acts, chapter 130, section 48, and 2012 Iowa Acts, chapter 1136, section 17, being deemed of immediate importance, take effect upon enactment.

Sec. 47. RETROACTIVE APPLICABILITY. The section of this Act amending 2005 Iowa Acts, chapter 169, applies retroactively to July 1, 2005.

Sec. 48. RETROACTIVE APPLICABILITY. The section of this Act amending 2006 Iowa Acts, chapter 1180, applies retroactively to May 29, 2007.

Sec. 49. RETROACTIVE APPLICABILITY. The section of this Act amending 2007 Iowa Acts, chapter 212, applies retroactively to July 1, 2007.

Sec. 50. RETROACTIVE APPLICABILITY. The section of this Act amending 2008 Iowa Acts, chapter 1190, applies retroactively to July 1, 2008.

Sec. 51. RETROACTIVE APPLICABILITY. The section of this Act amending 2009 Iowa Acts, chapter 176, applies retroactively to July 1, 2009.

Sec. 52. RETROACTIVE APPLICABILITY. The section of this Act amending 2010 Iowa Acts, chapter 1188, applies retroactively to July 1, 2010.

Sec. 53. RETROACTIVE APPLICABILITY. The sections of this Act amending 2011 Iowa Acts, chapter 130, sections 1 and 67, apply retroactively to July 1, 2011.

Sec. 54. RETROACTIVE APPLICABILITY. The sections of this Act amending 2012 Iowa Acts, chapter 1136, section 17, and 2011 Iowa Acts, chapter 130, section 48, apply retroactively to July 1, 2012.>

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2. Title page, by striking lines 2 and 3 and inserting  
<affairs, the economic development authority,>

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

---

WILLIAM A. DOTZLER, JR.,  
CHAIRPERSON

---

DAVE DEYOE,  
CHAIRPERSON

---

RITA HART

---

MARY ANN HANUSA

---

DR. JOE M. SENG

---

BOBBY KAUFMANN

---

BOB KRESSIG

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FILED MAY 15, 2013

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 603

To the Speaker of the House of Representatives and the  
President of the Senate:

We, the undersigned members of the conference committee  
appointed to resolve the differences between the House of  
Representatives and the Senate on House File 603, a bill for  
an Act relating to and making appropriations to certain state  
departments, agencies, funds, and certain other entities,  
providing for regulatory authority, and other properly related  
matters, respectfully make the following report:

1. That the Senate recedes from its amendment, H-1319.

2. That House File 603, as amended, passed, and reprinted by  
the House, is amended to read as follows:

1. Page 1, by striking line 12 and inserting:

<..... \$ 4,067,924>

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2. Page 1, by striking line 15 and inserting:

<..... \$ 2,658,909>

3. Page 1, by striking lines 23 and 24 and inserting:

<..... \$ 405,914  
..... FTEs 5.00>

4. Page 3, after line 18 by inserting:

<3. The auditor of state shall allocate moneys from the appropriation in this section solely for audit work related to the comprehensive annual financial report, federally required audits, and investigations of embezzlement, theft, or other significant financial irregularities until the audit of the comprehensive annual financial report is complete.>

5. Page 4, by striking line 6 and inserting:

<..... FTEs 18.50>

6. Page 4, by striking line 12 and inserting:

<..... FTEs 12.50>

7. Page 4, by striking line 23 and inserting:

<..... FTEs 74.50>

8. Page 4, by striking line 35 and inserting:

<..... FTEs 100.15>

9. Page 6, line 27, after <provide> by inserting  
<coordination of>

10. Page 6, after line 30 by inserting:

<Moneys appropriated in this section shall be distributed by the commission to the regional telecommunications councils based upon usage by region. The regional telecommunications councils shall report to the Iowa telecommunications and technology commission by January 31, 2014, for the immediately preceding six-month period beginning on July 1, 2013, and ending December 31, 2013, and by July 31, 2014, for the immediately preceding six-month period beginning on January 1, 2014, and ending on June 30, 2014. The report shall include information requested by the commission related to the activities supported through this appropriation.>



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11. Page 7, by striking lines 2 and 3 and inserting:

<1. GENERAL OFFICE

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:>

12. Page 7, after line 5 by inserting:

<2. TERRACE HILL QUARTERS

For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at terrace hill, and for not more than the following full-time equivalent positions:

.....	\$	93,111
.....	FTEs	2.00>

13. Page 7, by striking line 29 and inserting:

<..... FTEs 5.65>

14. Page 7, by striking line 35 and inserting:

<..... FTEs 9.62>

15. Page 8, by striking lines 25 through 27.

16. Page 8, line 28, by striking <c.> and inserting <b.>

17. Page 10, by striking line 16 and inserting:

<..... \$ 2,680,290>

18. Page 10, after line 35 by inserting:

<Sec. \_\_\_\_ . DEPARTMENT OF INSPECTIONS AND APPEALS

— WELFARE FRAUD ANNUAL MEETING — MEDICAID FRAUD FUND

APPROPRIATION. There is appropriated from the Medicaid fraud fund created in section 249A.7 to the investigations division of the department of inspections and appeals for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For costs associated with central staff attending the united council on welfare fraud annual meeting:

.....	\$	6,500>
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19. Page 13, by striking lines 13 and 14 and inserting:

<..... \$ 275,000

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..... FTEs 3.00>

20. Page 13, by striking line 25 and inserting:

<..... FTEs 245.24>

21. Page 19, after line 23 by inserting:

<Sec. \_\_\_\_\_. INTEGRATED INFORMATION FOR IOWA SYSTEM —  
OFFICE OF CONSUMER ADVOCATE. There is appropriated from the  
department of commerce revolving fund created in section  
546.12 to the office of consumer advocate for the fiscal year  
beginning July 1, 2013, and ending June 30, 2014, the following  
amount, or so much thereof as is necessary, to be used for the  
purpose designated:

For the payment of services provided by the department of  
administrative services related to the integrated information  
for Iowa system:

..... \$ 1,425>

22. Page 19, by striking line 35 and inserting:

<..... \$ 2,033,962>

23. Page 20, by striking line 1 and inserting:

<..... FTEs 73.49>

24. Page 20, by striking line 3 and inserting:

<..... \$ 1,329,455>

25. Page 20, by striking lines 11 and 12 and inserting:

<..... \$ 202,957

..... FTEs 5.00>

26. Page 21, by striking line 29 and inserting:

<..... \$ 457,253>

27. Page 22, after line 6 by inserting:

<3. The auditor of state shall allocate moneys from the  
appropriation in this section solely for audit work related to  
the comprehensive annual financial report, federally required  
audits, and investigations of embezzlement, theft, or other  
significant financial irregularities until the audit of the  
comprehensive annual financial report is complete.>

28. Page 22, by striking line 16 and inserting:

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<..... \$ 245,168>

29. Page 22, by striking lines 28 and 29 and inserting:

<..... \$ 610,196

..... FTEs 18.50>

30. Page 22, by striking lines 34 and 35 and inserting:

<..... \$ 300,769

..... FTEs 12.50>

31. Page 23, by striking lines 10 and 11 and inserting:

<..... \$ 4,583,618

..... FTEs 74.50>

32. Page 23, by striking line 16 and inserting:

<..... \$ 897,128>

33. Page 23, by striking lines 22 and 23 and inserting:

<..... \$ 2,516,495

..... FTEs 100.15>

34. Page 24, by striking line 8 and inserting:

<..... \$ 4,089,703>

35. Page 25, by striking line 3 and inserting:

<..... \$ 31,159>

36. Page 25, line 8, by striking <2012> and inserting <2014>

37. Page 25, line 8, by striking <2013> and inserting <2015>

38. Page 25, by striking line 12 and inserting:

<..... \$ 496,457>

39. Page 25, line 15, after <provide> by inserting

<coordination of>

40. Page 25, after line 18 by inserting:

<Moneys appropriated in this section shall be distributed by the commission to the regional telecommunications councils based upon usage by region. The regional telecommunications councils shall report to the Iowa telecommunications and technology commission by January 31, 2015, for the immediately preceding six-month period beginning on July 1, 2014, and ending December 31, 2014, and by July 31, 2015, for the immediately preceding six-month period beginning on January

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1, 2015, and ending on June 30, 2015. The report shall include information requested by the commission related to the activities supported through this appropriation.>

41. Page 25, by striking lines 25 through 28 and inserting:

<1. GENERAL OFFICE

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,098,228
.....	FTEs	20.00

2. TERRACE HILL QUARTERS

For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at terrace hill, and for not more than the following full-time equivalent positions:

.....	\$	46,556
.....	FTEs	2.00>

42. Page 26, by striking line 5 and inserting:

<..... \$ 120,567>

43. Page 26, by striking lines 16 and 17 and inserting:

<.....	\$	112,092
.....	FTEs	5.65>

44. Page 26, by striking lines 22 and 23 and inserting:

<.....	\$	514,039
.....	FTEs	9.62>

45. Page 26, by striking line 34 and inserting:

<..... \$ 272,621>

46. Page 27, by striking line 5 and inserting:

<..... \$ 339,471>

47. Page 27, by striking line 11 and inserting:

<..... \$ 1,286,545>

48. Page 27, by striking line 26 and inserting:

<..... \$ 2,546,017>

49. Page 28, by striking line 20 and inserting:

<..... \$ 21,108>

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50. Page 29, by striking line 1 and inserting:  
<..... \$ 1,340,145>  
51. Page 29, by striking line 19 and inserting:  
<..... \$ 639,666>  
52. Page 30, by striking line 5 and inserting:  
<..... \$ 1,534,246>  
53. Page 30, by striking line 18 and inserting:  
<..... \$ 1,522,860>  
54. Page 30, by striking line 29 and inserting:  
<..... \$ 811,949>  
55. Page 31, by striking line 4 and inserting:  
<..... \$ 1,275,110>  
56. Page 31, by striking line 19 and inserting:  
<..... \$ 28,000>  
57. Page 31, by striking lines 29 and 30 and inserting:  
<..... \$ 137,500  
..... FTEs 3.00>  
58. Page 32, by striking lines 5 and 6 and inserting:  
<..... \$ 8,940,420  
..... FTEs 245.24>  
59. Page 32, by striking line 24 and inserting:  
<..... \$ 652,888>  
60. Page 32, by striking line 34 and inserting:  
<..... \$ 1,448,350>  
61. Page 33, by striking line 25 and inserting:  
<..... \$ 542,196>  
62. Page 34, by striking line 2 and inserting:  
<..... \$ 46,574>  
63. Page 34, by striking line 13 and inserting:  
<..... \$ 8,843,484>  
64. Page 38, after line 3 by inserting:

<Sec. \_\_\_\_\_. INTEGRATED INFORMATION FOR IOWA SYSTEM —  
OFFICE OF CONSUMER ADVOCATE. There is appropriated from the  
department of commerce revolving fund created in section

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546.12 to the office of consumer advocate for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the payment of services provided by the department of administrative services related to the integrated information for Iowa system:

..... \$ 1,425>

65. Page 38, after line 11 by inserting:

<DIVISION \_\_\_\_

IOWA PUBLIC INFORMATION BOARD

Sec. \_\_\_\_\_. 2012 Iowa Acts, chapter 1115, section 9, subsections 1, 4, and 6, are amended to read as follows:

1. Employ one employee as executive director who is an attorney admitted to practice law in the courts of this state to execute its authority ~~and prosecute~~ including prosecuting respondents in proceedings before the board and ~~to represent~~ representing the board in proceedings before a court, as appropriate.

4. Receive complaints alleging violations of chapter 21 or 22, seek resolution of such complaints through informal assistance ~~or through mediation and settlement~~, formally investigate such complaints, decide after such an investigation whether there is probable cause to believe a violation of chapter 21 or 22 has occurred, and if probable cause has been found prosecute the respondent before the board in a contested case proceeding conducted according to the provisions of chapter 17A.

6. The board may examine a record of a governmental body or a government body that is the subject matter of a complaint, including any record that is confidential by law. Confidential records provided to the board by a governmental body or a government body shall continue to maintain their confidential status. Any member or employee of the board is subject to

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the same policies and penalties regarding the confidentiality of the document as an employee of the governmental body or a government body.

Sec. \_\_\_\_\_. 2012 Iowa Acts, chapter 1115, section 12, is amended by striking the section and inserting in lieu thereof the following:

**SEC. 12. NEW SECTION. 23.9 Informal assistance.**

After accepting a complaint, the board shall promptly work with the parties, through employees on its own staff, to reach an informal, expeditious resolution of the complaint.

Sec. \_\_\_\_\_. 2012 Iowa Acts, chapter 1115, section 13, subsection 1, is amended to read as follows:

1. If any party declines ~~mediation or settlement~~ informal assistance or if ~~mediation or settlement~~ informal assistance fails to resolve the matter to the satisfaction of all parties, the board shall initiate a formal investigation concerning the facts and circumstances set forth in the complaint. The board shall, after an appropriate investigation, make a determination as to whether the complaint is within the board's jurisdiction and whether there is probable cause to believe that the facts and circumstances alleged in the complaint constitute a violation of chapter 21 or 22.

Sec. \_\_\_\_\_. 2012 Iowa Acts, chapter 1115, section 13, subsection 3, paragraph a, is amended to read as follows:

a. If the board finds the complaint is within the board's jurisdiction and there is probable cause to believe there has been a violation of chapter 21 or 22, the board shall issue a written order to that effect and shall commence a contested case proceeding under chapter 17A against the respondent. ~~Notwithstanding section 17A.10A, if~~ If there are no material facts in dispute, the board may order that the contested case procedures relating to the presentation of evidence shall not apply as provided in section 17A.10A. ~~An attorney selected by the~~ The executive director of the board or an attorney selected

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by the executive director shall prosecute the respondent in the contested case proceeding. At the termination of the contested case proceeding the board shall, by a majority vote of its members, render a final decision as to the merits of the complaint. If the board finds that the complaint has merit, the board may issue any appropriate order to ensure enforcement of chapter 21 or 22 including but not limited to an order requiring specified action or prohibiting specified action and any appropriate order to remedy any failure of the respondent to observe any provision of those chapters.

DIVISION \_\_\_\_

TERRACE HILL COMMISSION

Sec. \_\_\_\_\_. Section 8A.326, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. The governor may appoint an administrator of the Terrace Hill facility who may perform any acts which are necessary or desirable to coordinate the administration of the Terrace Hill facility.

Sec. \_\_\_\_\_. Section 8A.326, subsection 2, Code 2013, is amended by striking the subsection and inserting in lieu thereof the following:

2. The purpose of the Terrace Hill commission is to provide for the preservation, maintenance, renovation, landscaping, and administration of the Terrace Hill facility. The Terrace Hill facility includes the Terrace Hill mansion, carriage house, grounds, historical collections, and all other related property.

Sec. \_\_\_\_\_. Section 8A.326, subsection 3, Code 2013, is amended to read as follows:

3. The Terrace Hill commission may enter into contracts, subject to this chapter, to execute its purposes, including, without limitation, contracts authorizing nonprofit organizations acting solely for the benefit and support of the Terrace Hill facility to do any of the following:



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a. Solicit funds and accept donations, gifts, and bequests approved by the commission and in accordance with priorities established by the commission.

b. Administer a Terrace Hill membership program.

c. Maintain the Terrace Hill historical collections.>

66. By renumbering as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

---

RALPH WATTS, CHAIRPERSON

---

LIZ MATHIS, CHAIRPERSON

---

TEDD GASSMAN

---

CHRIS BRASE

---

BRUCE HUNTER

---

JEFF DANIELSON

---

DAN KELLEY

---

GUY VANDER LINDEN